

**SUMMARY**  
**STATE ELECTION BOARD MEETING**  
**2 Martin Luther King Jr. Dr., Ste. 512**  
**Atlanta, Georgia 30334**  
**Tuesday, June 17, 2008**  
**10:00 a.m.**

1. Chairperson Handel called the State Election Board (SEB) Meeting to order at 10:05 a.m. with a roll call. A quorum was established with Chairperson Handel, Tex McIver, and David Worley in attendance. Chairperson Handel stated Jeff Israel would conduct the Invocation and then everyone would stand for the Pledge of Allegiance. Randy Evans arrived at 10:10 a.m. and Jeff Israel arrived at 10:25 a.m.
2. Chairperson Handel then called for the next order of business, public comments.
3. Sally Fitzgerald, a Fulton County Poll Worker, spoke regarding recruiting students as poll workers and granting them an excused absence from school if they served as a poll worker.
4. Chairperson Handel called for the approval of the January 25, 2008 minutes and asked if the Board had any comments. David Worley wanted the third paragraph under No. 3 to be changed to "David Worley stated for the record that he voted against the motion because he believes that the costs of the appeal outweigh the likelihood of success on the merits – which he believes is less than 50%". Pending this change, Mr. Worley made a motion to approve the minutes. Chairperson Handel seconded and the motion passed unanimously.
5. Chairperson Handel called for the approval of the February 14, 2008 minutes and asked if the Board had any comments. David Worley made a motion to approve the minutes, Tex McIver seconded and the motion passed unanimously.
6. Chairperson Handel called for the approval of the May 29, 2008 minutes and asked if the Board had any comments. Tex McIver made a motion to approve the minutes, Chairperson Handel seconded and the motion passed unanimously.
7. Chairperson Handel moved to the next order of business, the Inspector General cases.
  - a. SEB Case No. 2006-000037 Elbert County – Shawn LaGrua, Inspector General, stated this case involved several allegations against Maebelle Davis, Elbert County Chief Registrar. Calandra Almond, Attorney General's Office, briefed the board on the consent order which included a Cease and Desist Order, a reprimand and training. Tex McIver made a motion to amend the Consent Order to include a Letter of Instruction, agree to heightened Absentee Ballot and UOCAVA monitoring through December 31, 2008, and that they submit, to the State Elections Board and to the Secretary of State, a plan implementing their procedures no later than June 30, 2008. Randy Evans seconded and the motion passed unanimously.
  - b. SEB Case No. 2007-000021 City of Chickamauga – Shawn LaGrua, Inspector General, stated this case involved an allegation against Stanley Matthews, Ginger Godsey, and Timothy Godsey. Allegedly Stanley Matthews offered tenants of the Chestnut Hill Trailer Park \$10.00 to register to vote and an additional \$10.00 to vote in the City of Chickamauga November 6, 2007 Municipal General Election.

The Godsey's were not present and had no representation at the meeting. David Worley made a motion to refer this case to the Attorney General's (AG) Office with the exception of violations 7 and 8. Randy Evans seconded and the motion passed unanimously.
  - c. SEB Case No. 2007-000022 Fannin County - Shawn LaGrua stated the attorney, Lynn Daus, requested a continuance. Tex McIver made a motion to grant the continuance. Chairperson Handel seconded and the motion passed unanimously.

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- d. SEB Case No. 2007-000027 City of Statesboro – Shawn LaGrua stated this case involved an allegation that Statesboro Police officers intimidated voters during advanced voting and were present at the request of the City Clerk, Judy McCorkle. A second allegation that several Georgia Southern students indicated an address on their voter registration cards other than where they actually lived. A third allegation that voter registration was taking place in bars at night and that students were being rewarded with gifts for voting or registering to vote.

Randy Evans made a motion to refer the cases against Jessica Madden and Mary Nicholson to the AG's office. Jeff Israel seconded, and the motion passed 4 – 1 with David Worley voting against.

- e. SEB Case No. 2007-000028 City of Greenville – Shawn LaGrua asked that the case be continued because there is a pending decision from the Superior Court. Randy Evans made a motion to grant a continuance, David Worley seconded and the motion passed unanimously.
- f. SEB Case No. 2007-000029 City of Dublin – Shawn LaGrua stated this case involved a complaint from Joe Kinard, City of Dublin Election Superintendent, that he received 5 absentee ballot applications for the November 6, 2007 election completed in the same handwriting; one of the applications was for a known deceased individual.

Randy Evans made a motion to refer the case to the AG's office. Tex McIver seconded and the motion passed unanimously.

- g. SEB Case No. 2007-000031 City of Tyrone – Shawn LaGrua stated this case involved an allegation against the City of Tyrone for distributing coupons containing campaign material during the November 6, 2007 General Election.

Randy Evans made a motion to close the case; David Worley seconded and the motion passed unanimously.

- h. SEB Case No. 2007-000037 City of Baldwin – Chris Harvey, Deputy Inspector General, stated this case involved a complaint from Theron Ayers alleging that the City of Baldwin Election Superintendent, Brandy Kyle, unlawfully delivered official absentee ballots to electors in their homes.

Tex McIver made a motion to send a letter to the City Council regarding the need for privacy when voting and to implement privacy procedures, a Letter of Instruction and reprimand regarding absentee ballot requirements and for additional training. Randy Evans seconded and the motion passed unanimously.

- i. At 12:05 p.m., Randy Evans made a motion to break for Executive Session, Tex McIver seconded and the motion passed unanimously.
- j. At 1:05 p.m., Tex McIver made a motion to return from Executive Session, David Worley seconded and the motion passed unanimously. Chairperson Handel stated for the record no action was taken during Executive Session.
- k. SEB Case No. 2007-000038 City of Jesup – Chris Harvey stated this case involved a complaint received in the Inspector General's office from Fraysse DeLeGal, Chairperson for Taxpayers for a Better Wayne County, alleging violation of O.C.G.A. § 21-2-414(f) during the November 6, 2007 Election.

Randy Evans made a motion to send a Letter of Instruction to Herbert Shaw, Mayor. Tex McIver seconded and the motion passed unanimously.

- l. SEB Case No. 2007-000040 City of Jackson – Chris Harvey stated this case involved a complaint that Debra Brown unlawfully assisted numerous voters with their absentee ballot applications,

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assisted with voting their ballot, and took possession of their ballot in the November 6, 2007 City of Jackson General Elections. A second allegation that Timothy Boyd used a fraudulent address to vote in the November 6, 2007 City of Jackson 5<sup>th</sup> District General Election. A third allegation that two electors, Marshall Avett and Evelyn Price, who reside outside the 5<sup>th</sup> district, voted in the November 6, 2007 City of Jackson 5<sup>th</sup> District General Election.

Randy Evans made a motion to refer the case against Robert Raney, Fred Avett, Debra Brown, and Doris Price to the AG's office. Tex McIver seconded and the motion passed unanimously. Randy Evans made a motion to issue a Consent Order for Gail Bush, City of Jackson Election Superintendent, stating that she re-take all training and agree to heightened monitoring. Tex McIver seconded and the motion passed unanimously.

- m. SEB Case No. 2008-000004 City of Shiloh – Chris Harvey stated this case involved a complaint received from Sandra White, wife of mayoral candidate for the City of Shiloh Mayoral Election, alleging three voters were ineligible to vote because they did not live within the City of Shiloh limits.

Mr. Harvey stated the case could not be substantiated and recommended closing the case. Randy Evans made a motion to accept the recommendation and close the case. David Worley seconded and the motion passed unanimously.

- n. SEB Case No. 2008-000007 Anthony Scott Hobbs – Christ Harvey stated the attorney for this case requested a continuance. Tex McIver made a motion to grant the continuance, Chairperson Handel seconded and the motion passed 4 -1 with Randy Evans recusing himself.
- o. SEB Case No. 2008-000008 Camden County – Chris Harvey stated this case involved a complaint from Kenneth Taylor that no election was held to fill the retired Tax Commissioner's seat and that the Acting Tax Commissioner was distributing literature stating she was the Tax Commissioner. The Investigator was also asked to look into the UOCAVA procedures by Camden County. Kay Screws, Chief Deputy Registrar, was not present.

Randy Evans made a motion to refer the case to the AG's office. Chairperson Handel seconded and the motion passed unanimously.

- p. SEB Case No. 2008-000010 City of Kingston – Chris Harvey stated this case involved a complaint from George Hood alleging that the City of Kingston Election Superintendent failed to challenge voters on the electors list who did not reside or who no longer resided within the municipality, failed to remove deceased voters, and failed to provide poll worker training prior to the November 6, 2007 General Municipal Election.

Randy Evans made a motion to refer the case to the AG's office for a Consent Order to include a fine, mandatory training, a reprimand, and that they submit a plan outlining how they intend to implement what they learn from the training. Jeff Israel seconded and the motion passed unanimously.

- q. SEB Case No. 2008-000015 Carroll County – Chris Harvey stated this case involved a memorandum from an Investigator monitoring advanced voting in Carroll County on January 29, 2008 alleging she was given two copies of voter registration cards that appeared to be the same person. One voter was registered in Carroll County and one voter was registered in Oconee County. The voter's first names and dates of birth were the same and the social security number were the except for one digit.

Mr. Harvey recommended closing this case. Randy Evans made a motion to accept the recommendation and close the case. Jeff Israel seconded and the motion passed unanimously.

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- r. SEB Case No. 2008-000017 Fulton County – Shawn LaGrua stated case involved alleged election irregularities at several Fulton County precincts during the February 5, 2008 Presidential Preference Primary.

Randy Evans made a motion to refer the case to the AG's office, Chairperson Handel seconded and the motion passed unanimously.

- s. SEB Case No. 2008-000020 Hall County – Shawn LaGrua stated case involved a complaint received from Michael Parker alleging that poll workers at the New Bethany Baptist Church polling place failed to check at least three voter's photo identifications.

Randy Evans made a motion to issue a Letter of Instruction, David Worley seconded and the motion passed unanimously.

- t. SEB Case No. 2008-000021 Cherokee County – Shawn LaGrua stated this case involved a complaint received from Janet Munda, Cherokee County Elections Supervisor, alleging that Chris Knittel attempted to vote twice during advanced voting for the February 5, 2008 Presidential Preference Primary.

Randy Evans made a motion to refer the case to the AG's office, Chairperson Handel seconded and the motion passed 4 – 1 with David Worley voting against.

- u. SEB Case No. 2008-000022 Berrien County – Shawn LaGrua stated this case involved a complaint filed by Danny McMillian that he was arrested while trying to vote in the February 5, 2008 Presidential Preference Primary.

Randy Evans made a motion to refer the case to the AG's office. Jeff Israel seconded and the motion passed unanimously.

- v. SEB Case No. 2008-000023 Gwinnett County – Shawn LaGrua stated this case involved a complaint from Johnny Jones alleging he was denied the right to vote at the B. B. Harris Precinct in Gwinnett County during the February 5, 2008 Presidential Preference Primary because he lacked proper identification.

David Worley made a motion to close the case, Tex McIver seconded and the motion passed unanimously.

- w. SEB Case No. 2008-000024 Cobb County – Shawn LaGrua stated this case involved a complaint from Tim Steenhoek stating his wife was told she had already voted and was not allowed to vote in the February 5, 2008 Presidential Preference Primary.

Randy Evans made a motion to refer the case to the AG's office, no second was received. David Worley made a motion to close the case, Jeff Israel seconded and the motion passed 3 – 2. Chairperson Handel, David Worley, and Jeff Israel voted in favor and Tex McIver and Randy Evans voted against.

- 8. Chairperson Handel moved to the next order of business, the Attorney General cases.

- a. SEB Case No. 2006-000019 Calhoun County – Calandra Almond, stated this case was referred to the AG's office in December 2007 for the purpose of negotiating a consent order. The Respondents have agreed to a Consent Order providing for a Cease and Desist and a reprimand but requested a minor change to paragraph 5 of the findings of fact.

Randy Evans made a motion to accept the consent order with the minor change, David Worley seconded and the motion passed 4 – 0. Chairperson Handel had briefly left the room when the vote was taken and Vice Chairman, Tex McIver was conducting the meeting.

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- b. SEB Case No. 2006-000024 Macon County – Calandra Almond, stated it was alleged that Respondent, Faye James, improperly assisted numerous voters during the July 18, 2006 election and took possession of the ballots.

Randy Evans made a motion to accept the Consent Order, David Worley seconded and the motion passed unanimously.

- c. SEB Case No. 2006-000027 Lamar County – Calandra Almond stated this case was referred to the AG's office regarding allegations that Respondents Frank Fletch, Eldridge Harris, and George Barrett violated the Election Code during the July 2006 election.

Randy Evans made a motion to accept the Consent Order, David Worley seconded and the motion passed unanimously.

- d. SEB Case No. 2007-000030 City of Riverdale – Calandra Almond stated that Respondent Stephanie Thomas, City Clerk for Riverdale, was alleged to have violated numerous Election Codes with respect to absentee balloting during the September 18, 2007 Special Election and November 6, 2007 Election.

Randy Evans made a motion to accept the Consent Order for Stephanie Thomas, issue a Letter of Instruction to Wilma Wynn, and request the City Attorney, Deena Johnson, submit a remediation plan. Chairperson Handel seconded and the motion passed unanimously.

- e. SEB Case No. 2007-000046 City of Braswell – Calandra Almond stated Respondents Helen Waters, Braswell City Clerk, Frances Peyton, Polk County Chief Registrar, and Jennifer Johnson, Polk County Elections Supervisor, allegedly violated the Election Code regarding an incident where a voter who was eligible to vote in the November 6, 2007 Municipal Election in Braswell, was not allowed to cast a provisional ballot.

Randy Evans made a motion to accept the Consent Order, David Worley seconded and the motion passed unanimously.

- 9. Rob Simms, Deputy Secretary of State, gave a brief Legislative Update.
- 10. Matthew Carrothers, Director of Media Relations, gave a brief update on Photo ID and Outreach.
- 11. Wesley Tailor, Director of Elections, gave a brief update on training, upcoming elections, and the division re-organization.
- 12. Randy Evans made a motion to adjourn the meeting, David Worley seconded and the motion passed unanimously. Being no further business, the meeting was adjourned at 4:03 p.m.